

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|---------------------------|-----------------------|
| WYETH, | C.A. No. 06-222 (JJF) |
| Plaintiff, | |
| v. | |
| IMPAX LABORATORIES, INC.. | |
| Defendant. | |

Notice of Prior Art Pursuant to 35 USC §282

Pursuant to 35 USC §282, defendant Impax Laboratories, Inc., (“Impax”) hereby gives notice of the following prior-art references as being an anticipation or showing the state of the art, and reserves the right to present evidence and testimony regarding any or all such references at the upcoming July 8, 2008 trial.

A. Prior Art Cited in Expert Reports

Any and all prior art references cited in the three expert reports filed by Arthur H. Kibbe on September 27, 2007, October 22, 2007, and October 31, 2007.

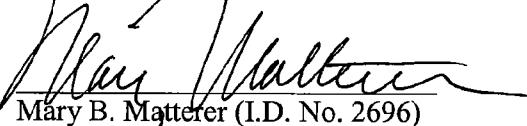
B. Prior Art Cited in the Impax Motions for Summary Judgment

Any and all prior art references cited in (1) Impax’s Motion for Summary Judgment of Anticipation and Obviousness; (2) Impax’s Motion for Summary Judgment of Noninfringement, Lack of Written Description, Lack of Enablement, Misjoinder of Inventors, and Indefiniteness, both filed on November 30, 2007; and (3) Impax’s Consolidated Reply to Wyeth’s Counterstatements, filed on January 15, 2008.

C. Prior Art Cited by the United States Patent and Trademark Office

Any and all prior art references cited in the Ex Parte Reexamination of application No. 90/008,142, dated 2/13/2008, previously designated as trial exhibit PTX-800.

Dated: June 6, 2008


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